

# Wage Assignment

Jackie Hicks  
District Court Collections Clerk

57<sup>th</sup> District Court  
113 Chestnut Street  
Allegan, MI 49010

(269) 686-5273

[jhicks@allegancounty.org](mailto:jhicks@allegancounty.org)

# Wage Assignments

## **Wage assignments are like a payment plan:**

- Voluntary option.
- Total amount owed is \$300 or more and is set by the judge or magistrate.
- The documentation that is needed for a payment plan is also needed for a wage assignment.
- Defendants who receive SSI, disability, or unemployment are not eligible for a wage assignment. Their only option is a payment plan.

# Wage Assignments (cont.)

- Need the last four digits of the defendant's social security number which is located on the financial statement.
- Need employer information.
- Indicate amount per check to be withheld per pay period based on employer's payroll cycle.
- Payment amount is based on defendant's financial statement – income versus expenses, without exceeding their budget.
- A note can be made to the ROA or file of the defendant that a wage assignment has been issued. List the employer's name and the amount per check to be withheld.

Example:

04/18/08

Wage Assign - SMITHFIELD BEEF

\$30.00 / check

# Wage Assignments (cont.)

- The SCAO approved **Order for Assignment of Wages** (MC 289) can be found at:

<http://courts.michigan.gov/scao/courtforms/general/mc289.pdf>

- The SCAO-approved form is on the next page.

**STATE OF MICHIGAN  
JUDICIAL DISTRICT  
JUDICIAL CIRCUIT****ORDER FOR  
ASSIGNMENT OF WAGES****CASE NO.**

Court address

Court telephone no.

In the matter of

Name of employee

Last four digits of social security no. or employee ID no.

Date of birth

Address

City

State

Zip

Telephone no.

**IT IS ORDERED pursuant to MCL 769.1k:**

1.

Name

Address

employer, shall withhold from the earnings due the person named above the amount of \$\_\_\_\_\_ per\_\_\_\_\_, effective one week after service upon the employer of a copy of this order. The employer shall indicate the case number on the withholding and shall forward the withholding to the court at

☐ the above address.

☐

2. The employer shall not use this assignment as a basis, in whole or in part, for the discharge of the employee or for any other disciplinary action against the employee.

3. Your compliance with this order is required by law.

4. This order shall remain in full force and effect until further order of the court or until the total of \$\_\_\_\_\_ has been withheld, whichever comes first.  
most recent balance

Date

Judge

Bar no.

NOTE: Wage assignment is a transfer of the right to receive wages, ordinarily effected by means of a contract. As such, wage assignments are not within the scope of the federal wage garnishment law. For purposes of this order, however, wages have been defined based on the federal wage garnishment law. Wages are defined as earnings or compensation paid for personal services whether called wages, salary, commission, bonus, or otherwise, and can include periodic payments under a pension or retirement program. (Title III, Section 302, PL 90-321) When required, withholdings shall be determined using the calculation sheet from SCAO-Approved form MC 14 (Garnishee Disclosure).

**CERTIFICATE OF MAILING**

I certify that on this date copies of this order were served on the employee and employer by first-class mail to their last-known addresses.

Date

Signature

# Wage Assignments (cont.)

Per a decision by our local judges, this court prints three copies.

- The original is signed by the sentencing judge to be put in defendant's file.
- Copy 1 is stamped with the judge's signature and mailed to the defendant / employee.
- Copy 2 is stamped with the judge's signature and mailed to the employer.

Once the original has been signed by the judge, a copy is made and used to track payments. See example on the next page.

## Wage Assignments (cont.)

- Form is printed on the back of the wage assignment copy that is used for tracking purposes.
- Fill in employer information, phone number, and a contact person.
- As payments are made, list amount paid and the date payment was received.

EMPLOYER:	PERRIGO
ADDRESS:	515 EASTERN AVE
	ALLEGAN, MI 49010
PHONE:	(269) 673-8451
CONTACT:	PAYROLL

PAID:	WKLY	BI- WKLY	SEMI- MTHLY	MTHLY
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SS#: 6789

[illegible][illegible]



# Wage Assignments (cont.)

- The file is extended out 3 weeks from the date the wage assignment became effective. A note is made on paper calendar 3 weeks out to review for initial first payment from the employer. If payment is not received within 3 weeks, the employer is contacted.
- As payments are made, the due date is extended out for the next payment due date based on the employer's payroll cycle.
- A calendar (like the calendar used for payment plans), is generated to monitor and review payment history.
- A paper calendar or a spreadsheet will work in the same manner for tracking and monitoring payments.

# Wage Termination

- Employer receives a copy of the wage assignment with a total amount due to the court. Employer is obligated to withhold funds from employee/defendant's paycheck until total amount due is paid in full or otherwise notifies the court that employee was terminated or quit.
- A note can be made to the ROA or file of the defendant that the wage assignment has been terminated.

Example:

03/12/08

Wage Term - SMITHFIELD BEEF

\*\*\*\*\* END OF REGISTER OF ACTIONS \*\*\*\*\* 08/18/08 16:40

# Wage Assignments (cont.)

Started in June 2007.

- 41 - Total wage assignments.
- 25 - Defaulted from a payment plan.
- 14 - Voluntary wage assignments.
- 2 - Were paid in full before the employer received the wage assignment.
- 17 - Current active wage assignments.

Totals as of September 23, 2008

# Wage Assignments (cont.)

- **Since June 2007**
  - Total amount due: \$46,228.56
  - Total amount collected: \$7,655.83
  - Total time spent processing wage assignments: 33 hours and 35 minutes
  - Total number of payments received: 236
- **How total time spent processing wage assignments is calculated:**
  - 15 minutes = Initial set up of the wage assignment.
  - 5 minutes = Each payment received and extend file out to next due date.
  - 10 minutes = Wage termination.

Paul R. Tomhave  
Felony Collections Officer

20<sup>th</sup> Circuit Court, Room 303  
414 Washington St.  
Grand Haven, MI 49417

(616) 846-8330

[ptomhave@miottawa.org](mailto:ptomhave@miottawa.org)

STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF OTTAWA

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

v.

JOE NOLASTNAME

Defendant.

\_\_\_\_\_ /

ORDER FOR  
WAGE ASSIGNMENT

File Nos. 00-12345-FH  
03-12346-FH  
03-23456-FH

At a session of said Court, held in the Ottawa County  
Building in the City of Grand Haven, Michigan, on the  
29<sup>th</sup> day of November, 2005.

PRESENT: Honorable \_\_\_\_\_, Circuit Judge

Joe Nolastname is indebted to the Ottawa County Circuit Court for court fees ordered by the Court. You are hereby assigned to the Ottawa County Circuit Court \$250.00 of his earnings per pay period and transmit same to the Ottawa County Clerk's Office, made payable to the Ottawa County Clerk and addressed to:

Circuit Court Records, Room 301A  
414 Washington Street  
Grand Haven, MI 49417

Total Due: \$23,464.74

Said assignment shall be effective with defendant's next pay period.

Employer:

IT IS SO ORDERED

DATED: \_\_\_\_\_, Circuit Judge

Certificate of Mailing

I certify that on this date, this Order of Wage Assignment was served upon the employer above by ordinary mail at the address shown.

Date \_\_\_\_\_

**STATE OF MICHIGAN  
JUDICIAL DISTRICT  
JUDICIAL CIRCUIT****ORDER FOR  
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Address

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